

REMARKS

The above Amendment and following remarks are responsive to the points raised in the non-final Office Action dated July 15, 2003.

Upon entry of this Amendment, Claims 12-16, 18-20 and 22-25 remain pending in the application. Claims 1-11, 17 and 21 have been canceled. Claims 12, 18-20 and 22 have been amended. No new matter has been introduced by this Amendment. Entry and consideration of this Amendment are respectfully requested.

Status Of Claims:

In the Office Action, claims 1, 2, 4-7, 9-13, 15, and 18-25 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,374,291 to Ishibashi et al. ("Ishibashi"). Claims 3 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishibashi in view of U.S. Patent No. 6,233,318 to Picard et al. ("Picard"). Claims 14 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishibashi in view of U.S. Patent No. 5,675,507 to Bobo, II ("Bobo"). Finally, claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishibashi in view of U.S. Patent No. 5,712,907 to Wegner et al. ("Wegner"). Applicant respectfully requests reconsideration for the following reasons.

Response To The Rejection Under 35 U.S.C. §§102 and 103

In the Office Action, the Examiner states that Ishibashi discloses each and every element as set forth in claims 1, 2, 4-7, 9-13, 15, and 18-25. Applicant respectfully disagrees.

In the present invention, as recited in amended independent claims 12, 18-20 and 22, when the number of pages of the facsimile information to be transmitted through the Internet is not more than a predetermined value, the facsimile information is transmitted through a general public network without notification operation. This feature is not taught or suggested by the applied references. On page 13 of the Office Action, the Examiner asserts that this feature is disclosed in Wegner at column 10, lines 21-23 and column 12, lines 59-62. However, as relied upon by the Examiner, Wegner merely discloses image size and delivery time as factors for routing.

Accordingly, claims 12, 18-20 and 22 are believed to be distinguishable over the references applied by the Examiner. Likewise, claims 13-16 and 23-25 are believed to be distinguishable over these references based on their dependency from claims 12 and 22, respectively. Claims 1-11, 17 and 21 have been canceled, thereby rendering the rejection of these claims moot.

Response to Rejections Under 35 U.S.C. § 103:

Picard, Bobo, and Wegner do not overcome the deficiencies noted above in Ishibashi. Specifically, the cited references, individually or in combination, do not teach or suggest the aforementioned feature of the present invention. Accordingly, even if one of ordinary skill in the art were to combine the teachings of Ishibashi, Picard, Bobo, and Wegner, the combination still would not possess all the features recited in claims 12, 18-20 and 22 from which claims 13-16 and 23-25 depend, respectively.

CONCLUSION

In view of the above Amendment and remarks, the Applicant respectfully submits that all the pending claims are patentable over the prior art of record and are now in condition for allowance. Accordingly, the Applicant respectfully requests favorable reconsideration of this case and early issuance of a Notice of Allowance.

AUTHORIZATION

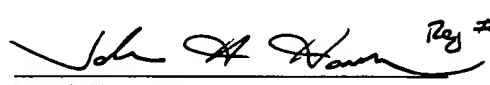
This paper is timely filed, and thus no fee is due. However, the Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Amendment under 37 C.F.R. §§ 1.16 and 1.17, including any extension of time, or credit any overpayment to Deposit Account No. 13-4503, Order No. 1232-4467.

Respectfully submitted,

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